

# In the United States Court of Federal Claims

No. 98-553L  
(Filed August 22, 2005)

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**JAMES SARTORI, DAVID  
SARTORI, WILLOWBROOK  
COAL COMPANY, AND  
WILLOWBROOK FARMS,**

Plaintiffs,

v.

**THE UNITED STATES,**

Defendant.

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\* Categorical and regulatory taking; U.S.  
\* Const. amend. V; Clean Water Act, 33  
\* U.S.C. §§ 1251, 1311, 1344, 1362  
\* (2000); ripeness; “parcel as a whole;”  
\* temporary categorical taking; temporary  
\* regulatory taking.

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Kenneth G. Oertel, Tallahassee, FL, for plaintiffs.

William J. Shapiro, Washington, DC, with whom was Assistant Attorney General  
Thomas L. Sansonetti, for defendant.

## ERRATUM

MILLER, Judge.

Footnote 8 on page 17 of the opinion filed on August 18, 2005, is deleted as  
improvident in view of Lingle v. Chevron, 125 S. Ct. 2074, 2082-83 (2005).

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**Christine Odell Cook Miller**  
Judge